

From: Kimo Chun [mailto:kimo@lava.net]

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To:

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Subject: Transportation and Planning Committee Testimony Bill 4 (2009), CD2 (Okino)

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Regarding Bill 4 (2009), CD2

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The Honorable Todd K. Apo, Council Chair, The Honorable Gary H. Okino, Chair
– Transportation and Planning Committee and members of the Honolulu City
Council:

Thank you for this opportunity to provide my individual testimony in support of the Okino version of Bill 4 (2009), CD2. Being in the wireless communications business here for 30 years and an amateur radio operator for even longer I support the very necessary exemption for two-way radio use, be it for emergency responders, in business or emergency preparedness and training by licensed amateur radio operators. These exemptions are very necessary to continue a long standing requirement for mobile communications use that is indispensable to our city and county, the day to day communication requirements of our already struggling businesses and the essential real-time and continual testing of "last resort" amateur radio communication systems and training of the operators – relied upon by many agencies including the City's Department of Emergency Management.

.Chair Apo's version excludes two-thirds of these requirements and can only be supported with a change adding a general exemption for all "licensed two-way radio" users, be it business or amateur radio. The activity described as "(1) Using a mobile electronic device up to or near one's ear;" might also preclude the use of single-sided "ear-mics" or "ear-buds" usable on cellular phones as it is technically part of the phone apparatus and is certainly near one's ear. If the intent is to absolutely prohibit any cellular use whatsoever that may do it but I would venture it would be difficult to enforce as the ear-mic would be nearly invisible to persons outside the vehicle. I think this absolute prohibition in any fashion of cellular use while driving will make for a lot of law breakers as people will use their ear-mics anyway.

Okino's version allows for hands-free use of mobile electronic devices. Hopefully, volume-demand by the large cellular user market will further technology to enhance dialing capabilities by either voice or minimal keystroke (and subsequent minimization of visual distraction) that parallels the exemption already given for longstanding audio entertainment equipment in cars which also requires occasional one or two button strokes and possible distraction. To regulate any further would beg the question of disallowing front seat passengers or conversations with passengers while driving. Certainly, these are beyond reasonable regulation at this time.

Respectfully submitted,

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